

REMARKS

Applicant wishes to thank the Examiner for the courteous telephone interview on March 30, 2004 in which proposed amendments to the claims were discussed.

In this office action the Examiner rejected claims 1-5 and 7-20 under 35 U.S.C. as being unpatentable over Matthews et al in view of Dickhart III et al. The Examiner stated, "Note the previous discussions in paragraph 5 of paper number 4, mailed 5-20-2002, and paragraph 3 of paper number 12, mailed 4-24-2003.

Note that while the legs shown in Dickhart extend at 90° from the donut section, the legs are flexible and will move between an angle of less than to greater than 90° in use and with continued wear. Applicants have not specified an amount over 90°. Thus, any variation of slightly over 90° meets this limitation. As to the base, the base in Dickhart constitutes both the end portion and connecting donut shaped ring. The prongs are at an over periphery of the ring."

Applicant has amended claim 1 to further emphasize that the "donut shaped element" has a central opening to permit engagement with the exhaust valve assembly. The claim was further amended to define that the plurality of legs are attached solely at one end thereof to the donut shaped element. Claim 15 was similarly amended.

The base portion or cap portion 70 and 72 as taught by Dickhard, "Bottom cap 72 comprises a base 74 with prong elements 76 extending therefrom. The prong elements include interconnecting convoluted sections 78.

Caps 70 and 72 are inserted in the space between the springs 62 and 64. When the cap elements are inserted, the projecting portions 76 and the convoluted portions 78 engage a number of the upper and lower coils of springs 62 and 64". (column 3, lines 22-30). And further, "each of said cap members including a flat circular base portion having a plurality of projection sections extending therefrom". (Section d of claim 1).

Although the Examiner refers to Dickhart as "Note that while the legs shown in Dickhart extend at 90° from the donut section, the legs are flexible and will move between an angle of less than to greater than 90° in use and with continued wear." The legs as seen in Figure 8 extend from a flat base member which is not really a donut section. A donut, according to Webster is "ring shaped" and the base of Dickhart is not ring shaped but is a flat circular member which does not have an opening.

The claims in the present invention provide a "donut shaped element having a central opening" and further provides that such plurality of legs are "attached solely at one thereof to said donut shaped element". These limitations are clearly different from the teaching of Dickhart et al. since the dampener of Dickhart et al.

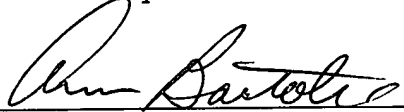
does not have a central opening and further the legs are not only connected to the base member but are interconnected to each other.

Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-5 and 7-20 under 35 U.S.C. as being unpatentable over Matthews et al in view of Dickhart III et al.

In view of the amendment to claims 1 and 15 and the discussion supra, it is believed that the invention as described in claims 1-5 and 7-20 is patentable and that this application is now in condition for allowance and such allowance by the Examiner is respectfully requested.

In the event the Examiner has further difficulties with the examination and/or allowance of the application, the Examiner is invited to contact the undersigned agent for applicant by telephone at (412) 380-0725, if necessary, to resolve any remaining questions or issues by interview and/or Examiner's Amendment as to any matter.

Respectfully submitted,

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